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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

PROVOST UMPHREY LAW FIRM, LLP : DOCKET NO. 06-0458

VS. : JUDGE MINALDI

JIMMY R. FAIRCLOTH, JR., ET AL. : MAGISTRATE JUDGE WILSON

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly,

IT IS ORDERED that plaintiff's motion to remand [doc. # 6] be, and it is hereby GRANTED. The cause is remanded to the 33rd Judicial District Court for the Parish of Allen, State of Louisiana.

IT IS FURTHER ORDERED that Fed.R.Civ.P. 54(d)(1) costs are assessed against the removing defendants. 28 U.S.C. § 1447(c). Movant's request for costs and fees is otherwise DENIED.

IT IS FURTHER ORDERED that the Clerk of Court make out a certified copy of this judgment, and forward the same to the Clerk of the 33rd Judicial District Court for the Parish of Allen, State of Louisiana.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 26 day of

June, 2006.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE